

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES RUTIGLIANO,

Plaintiff,

-against-

NOTICE OF MOTION

07 Civ. 4614 (JSR)

CITY OF NEW YORK, MARIA VELEZ & JOHN &
JANE DOES ## 1-4,

Defendants.
-----X

PLEASE TAKE NOTICE that, upon the annexed Declaration of David M. Hazan, dated September 14, 2007, and the exhibits annexed thereto; the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, dated September 14, 2007; and all the papers and proceedings had herein, the undersigned will move this Court, before the Honorable Jed S. Rakoff, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, Courtroom 14-B, New York, New York, on October 3, 2007 at 4:00 p.m., for an Order, pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, dismissing plaintiff's amended complaint, with prejudice, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, shall be served on or before September 24, 2007.

PLEASE TAKE FURTHER NOTICE that reply papers, if any, shall be served on or before September 27, 2007.

Dated: New York, New York
September 14, 2007

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendant City of New York
100 Church Street, Room 3-186
New York, New York 10007
(212) 788-8084

By: David M. Hazan
David M. Hazan (DH- 8611)
Assistant Corporation Counsel
Special Federal Litigation Division

TO: Gregory Antollino, Esq. (By Mail and ECF)
Attorney for Plaintiff
1123 Broadway, Suite 902
New York, New York 11241

CC: Honorable Jed S. Rakoff (Via Hand Delivery and ECF)
United States District Judge, SDNY
United States District Court
500 Pearl Street
New York, New York 10007-1312

Docket No. 07 Civ. 4614 (JSR)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES RUTIGLIANO,

Plaintiff,

-against-

CITY OF NEW YORK, MARIA VELEZ & JOHN
& JANE DOES ## 1-4,

Defendants.

**NOTICE OF MOTION AND DECLARATION
IN SUPPORT OF DEFENDANT CITY OF
NEW YORK'S MOTION TO DISMISS**

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendant City of New York
100 Church Street, Room 3-186
New York, N.Y. 10007

Of Counsel: David M. Hazan
Tel: (212) 788-8084
NYCLIS No.

Due and timely service is hereby admitted.

New York, N.Y., 2007.

..... Esq.

Attorney for